

REMARKS

Entry of the foregoing and further and favorable consideration of the subject application, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks that follow, are respectfully requested.

As correctly stated in the Official Action, claims 1-35 are pending in the application. Claims 15-22 and 33-35 stand withdrawn from consideration. Claims 1-14 and 23-32 stand rejected.

By the present amendment, the claims have been amended to correct the errors in claims 1 and 14. No new matter has been added. Respectfully, the objection to Claims 1-14 and 23-32 is obviated by this amendment.

Claims 1-14 and 23-32 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious over Waterbury *et al.* (U.S. Patent No. 6,342,523) in view of Harrison (Harrison's principles of Internal Medicine, 13th ed., 1993, page 2378) and Kontani *et al.* (New England Journal of Medicine, 2000, 343: 1514-1519). Respectfully, Applicants traverse this rejection.

Waterbury *et al.* (U.S. Patent No. 6,342,523) and the present application were commonly owned at the time the invention was made. Thus, under 103(c), Waterbury *et al.* should not preclude patentability. Applicants hereby attached a "35 U.S.C. §103(c) Statement." Respectfully, Applicants request that this rejection be withdrawn.

PATENT
Application No.: 10/043,659
Attorney's Docket No. 005699-512

CONCLUSIONS

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,

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Limited Recognition Under 37 C.F.R. §10.9(b)
(See Attached Document)

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Date: November 24, 2003